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HOUSE BILL 680

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

GERALD E. WEEKS

AN ACT

RELATING TO CRIMINAL LAW; CHANGING THE ELEMENTS OF UNLAWFUL CARRYING OF A DEADLY WEAPON; AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-7-2 NMSA 1978 (being Laws 1963, Chapter 303, Section 7-2, as amended) is amended to read:

"30-7-2. UNLAWFUL CARRYING OF A DEADLY WEAPON. --

A. Unlawful carrying of a deadly weapon consists of carrying a concealed loaded firearm or any other type of deadly weapon anywhere [~~except in the following cases:~~

~~(1) in the person's residence or on real property belonging to him as owner, lessee, tenant or licensee;~~

~~(2) in a private automobile or other private means of conveyance, for lawful protection of the person's or~~

Underscored material = new  
[bracketed material] = delete

Underscored material = new  
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1 ~~another's person or property;~~

2 ~~(3) by a peace officer in accordance with the~~  
3 ~~policies of his law enforcement agency who is certified pursuant~~  
4 ~~to the Law Enforcement Training Act; or~~

5 ~~(4) by a peace officer in accordance with the~~  
6 ~~policies of his law enforcement agency who is employed on a~~  
7 ~~temporary basis by that agency and who has successfully~~  
8 ~~completed a course of firearms instruction prescribed by the New~~  
9 ~~Mexico law enforcement academy or provided by a certified~~  
10 ~~firearms instructor who is employed on a permanent basis by a~~  
11 ~~law enforcement agency] with the intent to commit a criminal~~  
12 ~~offense.~~

13 B. Nothing in this section shall be construed to  
14 prevent the carrying of any unloaded firearm.

15 C. Whoever commits unlawful carrying of a deadly  
16 weapon is guilty of a petty misdemeanor. "